

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re

CUSTOMS AND TAX ADMINISTRATION OF  
THE KINGDOM OF DENMARK (SKAT) TAX  
REFUND SCHEME LITIGATION

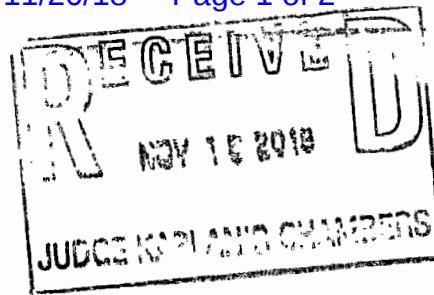
This document relates to: 18-cv-04833

18-cv-07824

18-cv-07827

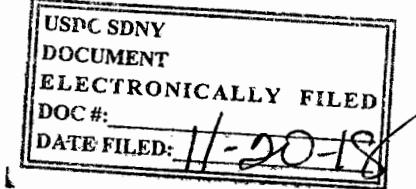
18-cv-07828

18-cv-07829



MASTER DOCKET

18-md-2865 (LAK)



**[PROPOSED] ORDER GRANTING IN PART AND DENYING IN PART  
PLAINTIFF SKAT'S MOTION TO APPROVE ALTERNATIVE SERVICE**

WHEREAS, Plaintiff SKAT, which is the Customs and Tax Administration of the Kingdom of Denmark ("SKAT"), has sued 141 pension plans and their representatives in the above-captioned multidistrict litigation; and

WHEREAS, on October 29, 2018, Plaintiff SKAT, following numerous diligent efforts to serve process on Defendants Headsail Manufacturing LLC Roth 401K Plan ("Headsail"), Aerovane Logistics LLC Roth 401(K) Plan ("Aerovane"), Edgepoint Capital LLC Roth 401(K) Plan ("Edgepoint"), The Random Holdings 401K Plan ("Random Holdings"), and Raubritter LLC Pension Plan ("Raubritter"), filed a Motion to Approve Alternative Service (the "Motion") in the above-captioned litigation. (Dkt. Nos. 8-10.) Plaintiff SKAT's Motion asked the Court to deem the methods by which SKAT has already sought to effect service on the Plan Defendants sufficient; or, in the alternative, to permit and direct SKAT to effect service by other means and grant SKAT an extension of 60 days to effect such service; and

WHEREAS, on November 13, 2014, Plaintiff SKAT and Defendant Klugman, through counsel, submitted a Stipulation and Proposed Order which, *inter alia*, ordered that counsel for Defendant Klugman would accept service on behalf of Defendants Headsail, Aerovane,<sup>1</sup> Edgepoint, and Random Holdings (Dkt. No. 20), and on November 14, 2014, the Court entered that Stipulation and Proposed Order (Dkt. No. 23);

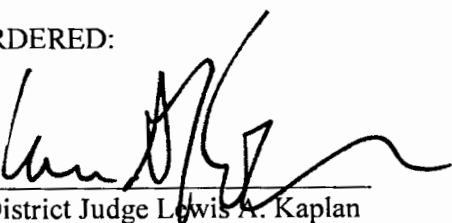
WHEREAS, pursuant to Local Rule 6.1(b), any response by any other interested party was due on November 13, 2018; and

WHEREAS, as of November 15, 2018, neither Defendant Raubritter nor any other interested party has responded to SKAT's Motion.

NOW, IT IS HEREBY ORDERED that:

1. SKAT's Motion is DENIED AS MOOT with respect to Defendants Headsail, Aerovane, Edgepoint, and Random Holdings.
2. SKAT's Motion is GRANTED with respect to Defendant Raubritter and SKAT's efforts to serve Defendant Raubritter to date, as described in the Motion, are deemed good and effective service.

SO ORDERED:



U.S. District Judge Lewis A. Kaplan

11/20/18